

COMMISSION MEETING MINUTES

Indiana Fire Prevention and Building Safety Commission

Government Center South
402 West Washington Street
Indianapolis, Indiana 46204
Conference Room B

September 3, 2008

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman David Hannum at 9:10 a.m. on September 3, 2008.

- (a) Commissioners present at the Commission meeting:

Diana M. H. Brenner
Michael Christoffersen
Howard W. Cundiff, Vice-Chairman, representing the Commissioner, Department of Health
Michael Corey
David Hannum, Chairman
John Hawkins
M. Burke Jones
James Ridley

- (b) Commissioners not present at the Commission meeting:

Ted Ogle
Kevin Goeden, representing the Commissioner, Department of Labor

- (c) The following departmental and support staff were present during the meeting:

Support Services Division, Legal and Code Services
Mara Snyder, Director, Legal and Code Services
John Haines, Code Specialist
John Hibner, Code Specialist
Raleigh Kouns, Code Specialist
Bob Robinson, Code Specialist
Beth Sutor, Secretary

- (d) Deputy Attorney General James Schmidt was present.

2. **Old Business.**

Chairman Hannum called for any corrections or a motion to approve the minutes of the August 5, 2008 meeting as distributed. A motion to approve the minutes as distributed was made by Commissioner Jones and seconded by Commissioner Ridley. It was voted upon and carried.

3. **Ordinances.**

Shelley Wakefield, Director of Fire and Building Code Enforcement, introduced Building Code Ordinance No. 2008-06, Dillsboro, Indiana, Building Code Ordinance No. 2008-02, West Harrison, Indiana, Building Code Ordinance No. 2008-07, Aurora, Indiana, Building Code Ordinance No. 17, 2008, Dearborn County, Indiana, Building Code Ordinance No. 8-2008, Batesville, Indiana, and Building Code Ordinance No. 2008-0020, Moores Hill, Indiana, to the Commission, recommending their approval. Commissioner Cundiff moved to approve all of the ordinances with the second by Commissioner Christoffersen. The motion was voted upon and carried.

4. **Review of Variance 08-06-36.**

Walnut Street Lofts, variance 08-06-36, was brought to the attention of the members of the Commission because the type of construction shown on the variance application and the type of construction used on the plans submitted to Plan Review were different. Ed Rensink, RTM Construction, explained that the architect and he had different approaches to the project which caused the difference in construction type. He stated that there are still 1-hour floors between the stories, so it makes little difference. One other thing which changed was the use of an NFPA 13 sprinkler system, instead of the NFPA 13R which had been indicated, due to travel distances in some of the units. Chairman Hannum noted that, since the variance had been granted previously and no one objected to the changes made at filing, the Commission could let it stand. None objected and the variance remained in effect.

5. **Review of Variance 07-10-36.**

Jeffersonville High School, variance 07-10-36, was brought to the attention of the members of the Commission at the request of Randy Cooley, field inspector for Fire and Building Code Enforcement. He reported that all three phase areas had been torn out and were being worked on at the same time, contrary to provisions in the variance, and that none was completed at the start of school when the building was again occupied by students. Ed Rensink, RTM Consultants, explained that the owner had hired a construction manager to run the project, so the architect is now doing design inspection of the project. The construction manager has a very aggressive style and pushed ahead to get as much piping for the sprinkler system done as possible before the students returned, and that Mr. Rensink had no reason to believe they won't follow the phase dates. The manager is ahead of schedule to some degree. Chairman Hannum asked about any effect on the fire control systems, and Mr. Rensink explained that a firewall had been breeched. He also stated that a variance was on the September agenda to correct that situation. Shelley Wakefield, Director, Fire and Building Code Enforcement stated the issue was the statement they would sprinkle the areas before students were allowed to occupy them, and it was not being done. The fire alarm system had not been functional at the beginning of school, and until the system had been inspected and passed, a fire watch had been posted. Commissioner Ridley stated he would feel more comfortable with the fire watch being maintained until the completion of the system. Mr. Rensink advised that there is no code-required sprinkler system in the building and that it would not be required in existing areas which they are occupying until the additions are completed. Ms. Wakefield stated her department will increase the inspections of the fire alarm system testing to maintain the safety level of the students. Chairman Hannum asked if anyone felt construction should be halted or the fire wall variance be pulled out for individual consideration. No response was made and the variance was left as granted.

6. **Variances.**

Tabled Variances.

Variance 08-08-4, Briar Leaf Clubroom, LaPorte, had been tabled due to being incomplete and ineligible to be heard. The missing information had been submitted, and Commissioner Ridley moved to approve with the second by Commissioner Corey. It was voted upon and carried. Variance 08-08-32, Westpoint Building I, Monrovia, was represented by Christina

Colleston, RTM Consultants. She stated that the local fire official did not oppose the variance after meeting with the owners and the proponent. Commissioner Hawkins moved that no variance was required. The second was made by Commissioner Cundiff. It was voted upon and carried.

Regular Variances.

Chairman Hannum called for any variances to be pulled from the block vote for individual consideration. Commissioner Brenner called out variance 08-09-13 and abstained from voting on 08-09-27. Commissioner Hawkins abstained from voting on variances 08-09-12 and 08-09-39. Commissioner Christoffersen abstained from voting on 08-09-42 and 08-09-54. Commissioner Christoffersen moved to approve all "A" and "B" variances with the second being made by Commissioner Jones. The motion was voted upon and carried.

The following variances were approved as submitted:

- (1) 08-09-1 Select Wood Fire Hose Removal, Elkhart
- (2) 08-09-2 Wal-Mart Store #2786 Ceiling Mount Alarms, Avon
- (3) 08-09-3 Indiana Packers Corporation Livestock Expansion, Delphi
- (4) 08-09-4 St. Stanislaus School Fire Hose Removal, East Chicago
- (5) 08-09-10 George Utz, Inc, Edinburgh
- (6) 08-09-11 Mooresville High School Lift Installation, Mooresville
- (7) 08-09-12 Scott County Heritage Center & Museum Phase 2 Renovation, Sellersburg
- (8) 08-09-16 LA Fitness, Indianapolis
- (9) 08-09-20(a)(b) Goldman Union Camp Institute New Assembly Hall, Zionsville
- (10) 08-09-25 Lewis Cass Jr/Sr High School Addition, Walton
- (11) 08-09-26 Butler College of Pharmacy & Health Sciences, Indianapolis
- (12) 08-09-27(a)(b) Marriott Courtyard/Springhill Suites, Indianapolis
- (13) 08-09-28(a)(b)(c) BSU Student Recreation & Wellness Facility, Muncie
- (14) 08-09-29 Louis Dreyfus Meal Load Out & Railroad Cover Building, Claypool
- (15) 08-09-33(b) 146 E. Washington Street Exit, Indianapolis
- (16) 08-09-35(a) Indiana University Ashton Student Housing, Bloomington
- (17) 08-09-39 Jeffersonville High School, Jeffersonville
- (18) 08-09-56(b)(c) 500 Walnut Street Condos, Indianapolis

The following variances were heard separately:

- (19) 08-09-5 Henryville Elementary & Jr/Sr High School Temporary Egress, Henryville

Larry Timperman, architect, spoke as proponent. The request was for temporary egress through existing doors in the pre-school classrooms during the construction of a 2-story, 12 classroom addition. Construction is expected to last 6 to 8 months. It was suggested by Commissioner Brenner that, during construction, an exit be run through the restroom area across from the stairway, allowing the continued use of the classrooms. After the construction of the corridor is complete, the restrooms can be installed. The proponent agreed to the suggestion. Commissioner Christoffersen moved to approve with the condition that the restroom area is to be used for temporary egress until the corridor construction is completed. Commissioner Brenner made the second. It was voted upon and carried. Commissioner Hawkins abstained.

- (20) 08-09-6 Sanctuary of Shelbyville, Shelbyville

Melissa Tupper, RTM Consultants, spoke as proponent. The existing building has changed occupancies several times and now houses domestic abuse victims. When owned by the National Guard, the building had a parking garage on the lower level, and owner David Farr would like to once again have parking on that level to help protect the residents. The garage will be separated from the gym above, and the gym

will also have 2-hour separation from the residential areas. Carbon monoxide and smoke detectors will be installed. Commissioner Brenner moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried.

(21) 08-09-7 Lincolnshire Courtyard Access Doors, Merrillville

John Ambroseccchia, Administrator, spoke as proponent. The doors to the courtyard are at issue; the owner feeling they are not a required exit, and the local fire department feeling they are. The dining room has seating for 65 residents with access to three double doors in a sprinklered building. The owners don't want to have the courtyard door as a fire exit fearing residents will use it and wander into the busy street. After discussion, Commissioner Christoffersen moved to have the Code Enforcement inspector measure distance and determine whether the exit through the patio is a required exit. Commissioner Ridley made the second. It was voted upon and carried.

(22) 08-09-8 Borden Elementary & Jr/Sr High School Temporary Egress, Borden

Hal Kovert, Kovert Hawkins Architects, spoke as proponent. An auxiliary gym is being built next to the current gym and will block exiting on one side of the building at certain times during construction. The request is to allow the use of a fire watch at the expense of the contractor during the closure of exits while the building is occupied. The addition should be completed by August, 2009. After discussion, Commissioner Christoffersen moved to approve with the condition that the exits must be open during the use of the gymnasium for sporting events. Commissioner Cundiff made the second. It was voted upon and carried. Commissioner Hawkins abstained.

(23) 08-09-9 Replacement Location for Riverwalk Communities, Evansville

Robert Overton, InterDesign, spoke as proponent. He requested that he be allowed to use NFPA 101A instead of Chapter 34 which does not allow the use of Chapter 34 with an "I" occupancy. The building will have sprinklers, fire alarm and fire barriers for the horizontal transfer of patients. Commissioners Hawkins and Christoffersen felt the variance application was too vague and suggested the proponent look at what problems he would have with the current code and address those specifically, not a blanket approach. The proponent assured the Commission that any additions to the building would meet requirements of the Building Code and again requested use of the 2007 Edition of NFPA 101A. Commissioner Christoffersen moved to deny with the second by Commissioner Ridley. After further discussion, the motion and second was withdrawn. Commissioner Christoffersen moved to table for 30 days with the second by Commissioner Corey. It was voted upon and carried.

(24) 08-09-13 Conrad Indianapolis Private Residences, Indianapolis

Doug Trent, RTM Consultants spoke as proponent. This variance had been called out by Commissioner Brenner. The unit, which has only one exit, has a 76 foot common path of travel. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried.

7. **Breaking and reconvening.** Chairman Hannum recessed the Commission at 10:40a.m. He then reconvened the meeting, calling it back to order at 10:53 a.m.

(25) 08-09-14 Community Hospital South Expansion, Indianapolis

Neal Locasto, RTM Consultants, spoke as proponent. The request in variance (a) was to allow non-compliant travel distance in five rooms of an outpatient treatment suite, with the worst distance being 87 feet. Two rooms have direct access to the exterior. After discussion, Commissioner Hawkins moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried. Variance (b) was a request to allow the use of suite egress in the 2006 NFPA 101 to permit travel through another suite of patient treatment rooms to reach the exit. Commissioner Brenner asked why a door wasn't put into the side corridor. Commissioner Christoffersen moved to deny, citing lack of hardship. Commissioner Brenner made the second. It was voted upon and carried.

- (26) 08-09-15 East 91st Street Christian Church Mechanical Room Addition, Indianapolis

Timothy Callas, J & T Consulting, spoke as proponent. A small classroom is being converted to a special needs classroom and a new circulation area is being added, and neither will be separated by the required fire walls. The room and circulation area will be separated by two 2-hour fire resistive barriers and an automatic fire suppression system since the cost to provide four code-compliant fire walls would be more than the church could provide. After discussion, Commissioner Hawkins moved to approve with the second by Commissioner Ridley. It was voted upon and carried.

- (27) 08-09-17 Calumet Twp. 610 Renovation Project, Gary

Mary Elgin, Gary Trustee, Stephen Hunter, Project Manager, Curtis Whitaker, CPA, and Carolyn Jacobs, Construction Manager, spoke as proponents. The building had been purchased from the Federal government and is being renovated for use by assistance programs. Most occupants would be on the first floor, 3-5 occupants on the top floor and 5-12 occupants on the second. The elevator is not compliant, and it would cost too much to install the hydraulic cylinder. Commissioner Corey asked about installing a plunger-gripper (lifejacket) instead of replacing the cylinder. After discussion, Commissioner Christoffersen moved to table for 30 days to allow time for research into the cost of a lifejacket. Commissioner Corey made the second. It was voted upon and carried.

- (28) 08-09-18 Indiana Convention Center, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. The request was to allow strobes to be installed over thirty-five feet as per code. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Jones. It was voted upon and carried.

- (29) 08-09-19 Sullivan Hardware Do-It Center, Cicero

No proponent was present for the incomplete variance application. Commissioner Christoffersen moved to table for thirty days. Commissioner Brenner made the second. It was voted upon and carried.

- (30) 08-09-21(a)(b) St. Elizabeth Hospital East A Building, Lafayette

Doug Trent, RTM Consultants, spoke as proponent. He provided staff and the Commission with signed copies of the ownership agreement between the hospital and the medical office building owners. In variance (a), a property line will run three feet out from the building, and the request is to not provide a party wall. After discussion, Commissioner Christoffersen moved to approve with the second by

Commissioner Jones. It was voted upon and carried. Variance (b) was to allow a connector belonging to the hospital to run between the buildings, crossing the property line. It will be separated from the office building with a 2-hour fire wall, not a party wall. Commissioner Christoffersen moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

- (31) 08-09-22 Matilda's Tea House and Special Occasions, Warren

Joe Humbert, architect, spoke as proponent. The existing residence had been turned into a tea house for small parties, and the request was to not sprinkle the building and still be able to use the second floor. Staff felt that this should be a "B" occupancy due to the total occupant load of less than fifty, and no variance would then be required. Commissioner Cundiff agreed and moved no variance was required with the second being made by Commissioner Christoffersen. It was voted upon and carried.

- (32) 08-09-23 Central Noble Alternative School, Albion

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. An existing funeral home will be converted into an alternative school and medical clinic. These must, according to code, be separated by a 2-Hour fire wall. The request is to omit this separation. The building will have fewer than 50 occupants, smoke detectors and manual pull stations. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried.

- (33) 08-09-24 Lincoln Elementary School, Columbus

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The school is changing to a team-teaching program and will be modifying the existing building by removing a wall between 2 classrooms in three separate areas. By doing so, a remote exit problem is created. The teachers will be moving from one side of the joined classrooms to the other, and the occupancy of each side should remain at 25. After discussion, Commissioner Hawkins moved to approve with the condition that the occupant load remain in each space so that only one exit is required. Commissioner Christoffersen made the second. It was voted upon and carried with one nay vote being cast.

- (34) 08-09-27(c) Marriott Courtyard / Springhill Suites, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to allow standpipes on the main floor landings instead of the intermediate landings. The Indianapolis Fire Department had no objections. Commissioner Jones moved to approve with the second by Commissioner Ridley. It was voted upon and carried.

- (35) 08-09-28(d)(e)(f) BSU Student Recreation & Wellness Facility, Muncie

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The issue was that of non-compliant travel distance in the mechanical room, laundry room, second floor of the auxiliary gymnasium, the existing mezzanine office space and the mezzanine track area for variance (d). The areas will be fully sprinklered, with a voice communications system, and smoke detection in the corridors. With the condition that smoke detectors be included in the mechanical and equipment room, Commissioner Christoffersen moved to approve with the second by Commissioner Cundiff. It was voted upon and carried. Variance (e) was a request to omit fireproofing the roof assembly which is an existing condition in the mezzanine office. The area is sprinklered. After discussion, Commissioner Christoffersen moved to deny with the second by Commissioner Brenner. It was voted upon and carried with one nay vote

being cast. Variance (f) was to allow two stairs to exit into the hallway instead of directly to the exterior as required by code. After discussion, Commissioner Brenner moved to approve with the second by Commissioner Hawkins. It was voted upon and carried.

- (36) 08-09-30(a)(b) Mavris Art & Event Center, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Variance (a) was an accessibility issue called out by the City of Indianapolis, as at least half of the entrances on the lower floor are to be accessible. There is an elevator serving all four levels to be used in the accessible route. There will also be a new exterior stair on the south side of the building. Commissioner Christoffersen moved to approve with the second by Commissioner Ridley. It was voted upon and carried. Variance (b) was to omit a voice alarm system which was required when the basement was converted to a banquet facility. It had last been used for storage. After discussion, Commissioner Ridley moved to approve with the second by Commissioner Brenner. It was voted upon and carried.

- (37) 08-09-31 Cellofoam Midwest Business Center, Whiteland

Ed Rensink, RTM Consultants, spoke as proponent. The request is to omit fire access roads to some portions of the building. Due to site configurations and the required retention pond, the south side of the building is inaccessible and a t-shaped turn-around will be provided for the fire department. Rodney Johnson, Greenwood Fire Dept, was in attendance and voiced no objection. Commissioner Christoffersen moved to approve with the second by Commissioner Ridley. It was voted upon and carried.

8. Breaking and reconvening. Chairman Hannum recessed the Commission for lunch at 11:59a.m. He then reconvened the meeting, calling it back to order at 1:09 p.m.

- (38) 08-09-32 Monroe Central Jr/Sr High School Additions and Renovations, Parker City

Ed Rensink, RTM Consultants, spoke as proponent. The request was for temporary egress during construction. There is sufficient exit width to handle the flow of occupants, and exit signage and illumination will be provided and adjusted as necessary as the construction progresses. The planned completion date is January of 2009. Commissioner Cundiff moved to approve with the second by Commissioner Jones. It was voted upon and carried with one nay vote being cast.

- (39) 08-09-33(a) 146 E. Washington Street, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the 5th floor occupants of the building to use the enclosed stairway which will be extended from the 4th floor. Existing stair doors will be replaced with fire-rated doors, smoke detection, sprinklers and voice alarm systems will be installed. The City of Indianapolis requested that it be a "B" occupancy with fewer than 17, that the stair

be protected with sprinklers using the escalator package and that no divider walls are to be used. Commissioner Brenner moved to approve with the conditions requested. Commissioner Christoffersen made the second. It was voted upon and carried with one nay vote being cast.

- (40) 08-09-34 IU School of Medicine Research Institute 3, Indianapolis

Peter Langowski, BSA LifeStructures, spoke as proponent. The request was to be allowed to take the detectors out of the exhaust system that serve equipment, but keep them in the main general exhaust system. Corridor smoke detectors will be added. This request is to keep the contaminants in the air stream from triggering nuisance alarms, while hazardous materials are dispensed within fume hoods. The building is sprinklered throughout and has a voice alarm system. Commissioner Christoffersen moved to approve with the second by Commissioner Hawkins. It was voted upon and carried.

- (41) 08-09-35(b)(c)(d) Indiana University Ashton Student Housing, Bloomington

Ed Rensink, RTM Consultants, spoke as proponent. Variance (b) is a re-do of a 2004 variance. The project had been shelved for a time. Commissioner Christoffersen moved to approve with the second by Commissioner Hawkins. It was voted upon and carried. Variance (c) is to allow a convenience opening between the first and second floor. It meets all requirements except it is open to the corridor area on the second floor. It has corridor smoke detection and dwelling units are separated with fire partitions and rated doors in the sprinklered building. Commissioner Christoffersen moved to approve with the second by Commissioner Hawkins. It was voted upon and carried. Variance (d) is to allow a 3500 or 4000 pound elevator to be used to accommodate a stretcher instead of the code-compliant sized elevator. A discussion of 5 inch radial corners was held, and the proponent requested the application to be tabled for research. Commissioner Christoffersen moved to table with the second by Commissioner Ridley. It was voted upon and carried.

- (42) 08-09-36 Columbus Regional Hospital Build-Back, Columbus

Ed Rensink, RTM Consultants, spoke as proponent. The request was for temporary exiting during construction. The only occupants will be staff with no patient care on the second floor. Commissioner Cundiff moved to approve with the second by Commissioner Ridley. It was voted upon and carried.

- (43) 08-09-37(a)(b) Indiana University Auxiliary Library Facility Module 2, Bloomington

Ed Rensink, RTM Consultants, spoke as proponent. Variance (a) was a request to omit smoke venting from the new warehouse area. The Bloomington Fire Department agreed if two additional access doors were added with a cross aisle and two hose connections were provided. Overhead coil doors are being used to separate the existing building, and the sprinkler system is interactive. Commissioner Hawkins moved to approve including the conditions requested by the fire department with the second by Commissioner Brenner. It was voted upon and carried. Variance (b) was to allow non-compliant fire access roads due to the topography of the area and the need to provide the "fall zone" one and one-half times the height of the building. Commissioner Ridley moved to approve with the second by Commissioner Jones. It was voted upon and carried.

- (44) 08-09-38 Lawrenceburg Speedway, Lawrenceburg

Tim Callas, J & T Consulting, spoke as proponent. The facility was renovated last year with accessible grandstands added at that time. This third turn grandstand is for family members and pit crew only with no public access. Commissioner Ridley moved to approve with the second by Commissioner Jones. It was voted upon and carried with one nay vote being cast.

- (45) 08-09-40 Weston Elementary School, Greenfield

Ed Rensink, RTM Consultants, spoke as proponent. The request was for temporary exiting during construction of the gym addition. There will be no assembly use in the existing gym while the exit is closed, and exit signage and illumination will be adjusted appropriately. A temporary door with compacted gravel will be provided. Commissioner Hawkins moved to approve with the condition that the variance will be granted for six months if a compacted gravel path you can drive a wheelchair though was provided for the temporary exit. Commissioner Cundiff made the second. It was voted upon and carried.

- (46) 08-09-42 Coves of Carroll Creek Building #5, Ft. Wayne
08-09-43 Coves of Carroll Creek Building #6, Ft. Wayne
08-09-44 Coves of Carroll Creek Building #7, Ft. Wayne
08-09-45 Coves of Carroll Creek Building #8, Ft. Wayne
08-09-46 Coves of Carroll Creek Building #9, Ft. Wayne
08-09-47 Coves of Carroll Creek Building #10, Ft. Wayne
08-09-48 Coves of Carroll Creek Building #11, Ft. Wayne
08-09-49 Coves of Carroll Creek Building #12, Ft. Wayne
08-09-50 Coves of Carroll Creek Building #13, Ft. Wayne
08-09-51 Coves of Carroll Creek Building #17, Ft. Wayne
08-09-52 Coves of Carroll Creek Building #20, Ft. Wayne
08-09-53 Coves of Carroll Creek Building #21, Ft. Wayne
08-09-54 Coves of Carroll Creek Building #22, Ft. Wayne

Timothy Callas, J & T Consulting, spoke as proponent. Ara Tazian, developer, was also present. The first two buildings of the development were built in 2004 and sold in 2005. The floor plans of the current units are similar, though six buildings will have loft areas, and none of the buildings will be sprinklered. According to the proponent, the local fire and building officials in Allen County do not have objections to omitting the sprinklers. Commissioner Christoffersen, abstaining from the vote, noted that the buildings would not have had to be sprinklered under the old code or have a 2-hour fire barrier. Commissioner Cundiff moved to approve with the second by Commissioner Ridley. Before the vote was taken, Fire Chief Jim Muara, Ft. Wayne, told the members of the Commission that the development was not in Ft. Wayne but was actually in Huntertown. The vote was taken and the motion failed. Commissioner Brenner then moved to approve with the condition of a 2-hour fire wall to divide each of the buildings into two sets of two units. Commissioner Hawkins made the second. It was voted upon and carried with one nay vote being cast.

- (47) 08-09-55 UPS Addition & Renovation, Ft. Wayne

Christina Collester, RTM Consultants, spoke as proponent. The request was to allow non-compliant stairs in the addition which would match an existing stair to the mezzanine of the sort building. Commissioner Jones moved to approve with the second by Commissioner Corey. It was voted upon and carried.

- (48) 08-09-56(a)(d) 500 Walnut Street Condos, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Variance (a) was to allow non-compliant travel distance. This variance had been approved before under the old code, but, per Ms. Snyder and Mr. Schmidt, it needed to be approved under the new code. Commissioner Cundiff moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried. Variance (d) was to allow an elevator with a cab size which does not comply with requirements for ambulance stretchers. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Ridley. It was voted upon and carried.

- (49) 08-09-57 Crowne Plaza Hotel, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. The hotel has a stair serving the second and third floor with egress to the Capital Street bridge and a plaza to the Hoosier Dome. The request was to allow temporary egress for a period of one year during demolition/construction involving the Dome. The exits within the building will be redistributed and signage directing patrons to new exiting will be provided. Commissioner Ridley moved to approve with the second by Commissioner Jones. It was voted upon and carried.

- (50) 08-09-58(a)(b)(c) Fashion Mall at Keystone, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, and Andrew Keenan, Simon Property Group, spoke as proponents. The request in variance (a) was to allow the addition of 60,000 square feet over two stories to a non-compliant building. Both the building and addition are sprinklered and will be upgraded to ordinary hazard group two. The building lacks the required 60 feet all around. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Brenner. It was voted upon and carried. Variance (b) was to allow the expansion of the existing food court which would put it beyond the allowable assembly area for the building. The area will use upgraded sprinkler coverage. Commissioner Brenner moved to approve with the second by Commissioner Cundiff. It was voted upon and carried. Variance (c) was to allow mechanical rooms, electrical equipment, etc. in the passageways behind the stores which serve as exit passageways which is not allowed by code. These passageways will be more than six feet wide. Commissioner Cundiff moved to approve with the second by Commissioner Brenner. It was voted upon and carried.

9. **Breaking and reconvening.** Chairman Hannum recessed the Commission at 2:40 p.m. He then reconvened the meeting, calling it back to order at 2:52 p.m.

10. **New Business – General.**

Discussion and Possible Commission Action

Sheline Garage
Administrative Cause No. 08-14
Approval of Variance 08-02-34
Remand to the Commission

The local building official is contesting, stating he was not notified of the variance application. After discussion, Commissioner Christoffersen moved to decline the remand and send it back to the Administrative Law Judge for further discussion amongst the interested parties. The motion was seconded by Commissioner Cundiff, voted upon and carried.

Louis Brown and the Town of Elizabethtown
Administrative Cause No. 08-26
Local Order
Notice of Filing Report, Findings of Fact, and Nonfinal Order of
Administrative Law Judge.

After discussion, Commissioner Christoffersen moved to affirm. Commissioner Cundiff made the second. It was voted upon and carried.

Poor Jack Amusements
Administrative Cause No. 07-13
Amusement Order
Notice of Filing Report, Findings of Fact, and Nonfinal Order of
Administrative Law Judge

Fantasy Amusement Company
Administrative Cause No. 07-15
Amusement Order
Notice of Filing Report, Findings of Fact, and Nonfinal Order of
Administrative Law Judge

After discussion, Commissioner Cundiff moved to affirm both with the second by Commissioner Christoffersen. It was voted upon and carried.

City of Indianapolis and Congregate Properties LLC
Administrative Cause no. 08-25
Appeal of Variance Decision
Remand to Commission

Jeff Dean represented of the City of Indianapolis with Happy Dhani for Congregate Properties LLC. After discussion, Commissioner Ridley moved to decline the remand and send it back to the Administrative Law Judge for further discussion amongst the interested parties. Commissioner Corey made the second. It was voted upon and carried.

4557 W. Bradbury
Administrative Cause No. 08-50
Order – Local Fire Department
Nonfinal Order of Dismissal

Commissioner Cundiff moved to affirm the Nonfinal Order of Dismissal. The second was made by Commissioner Christoffersen, voted upon and carried.

Discussion and Commission Action on Petitions For Review (All are timely filed unless otherwise noted.)

Walden Inn Depauw University
Order – Fire and Building Code Enforcement

Plainfield High School
Order – Town of Plainfield

Renaissance Bay Building 7 and 17
Denial of Variance 08-08-15(a)

City of Carmel
Interpretation of Section R602.8

Butler College of Pharmacy and Health Services
Denial of Variance 08-08-16

Immaculate Heart of Mary Vertical Wheelchair Lift
Denial of Variance 08-08-9

City of Indianapolis
Written Interpretation of a Building Law Under IC 22-13-5 by Donald H. Bradley,
Indiana Building Code (675 IAC 13-2.4) and Indiana Swimming Pool Code (675 IAC
20)

Golden Corral Addition
Order – Fire and Building Code Enforcement

City of Indianapolis
Written Interpretation of a Building Law under IC 22-13-5 Indiana Building Code (675
IAC 13-2.4) (Section 1003.2.2)

Horizon Property Group, Madison Ave. & Stop 11
Order – Perry Twp. Fire Department

Georgetown Wellness
Order – City of Indianapolis

Quality Inn & Suites
Order – Noblesville Fire Department

Commissioner Ridley moved to approve all timely filed petitions for review. Commissioner Jones made the second. It was voted upon and carried.

11. **Swimming Pool Code Review Committee Report – John Hibner, Code Specialist**

John Hibner, Code Specialist, announced the next meeting of the Swimming Pool Code Committee would be September 9, 2008. He asked for guidance from the Commission on language for Residential Swimming Pool Code, stating that to adopt amendments proposed by the IRC might mean adoption by reference of ANSI Standards which may involve a fiscal impact. He was told that the preference of the Commission is to keep it simple, using Pool Code language in the Residential Code for pools so that everything needed for residential construction is contained in one place as it has previously been.

12. **Update on Electrical Code Review Committee – Raleigh Kouns**

Raleigh Kouns, Code Specialist, stated he had e-mailed draft copies to the committee members which would match Electrical Code and Residential Electrical Code language. His next meeting was scheduled for October 8, 2008, and he hopes to have the changes made as quickly as possible in order to start the adoption process.

13. **Adjournment.**

Chairman Hannum adjourned the meeting at 3:21 p.m.

APPROVED _____
David Hannum, Chairman